

**From:** gary.wolfram@hillsdale.edu@inetgw  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

Microsoft was able to gain and maintain its market position through its ability to offer customers a better product at a cheaper price than its competitors. It is impossible for government officials or judges to know that forcing Microsoft to take actions other than it would in the market will make the consumer better off. I direct your attention to the book *Antitrust: The Case for Repeal* or Friedrich Hayek's discussion of monopoly in *The Constitution of Liberty*. The point is that the government should never have been involved in the Microsoft case to begin with and the settlement is better than might have been expected.